

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**Criminal Misc.No.M-5086 of 2015
Date of Decision: February 19, 2015**

Ved Pal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr.M.S.Rana, Advocate,
for the petitioner.

Mr.Gurdas Singh, DAG, Haryana.

Mr.Sandeep Ghalawat, Advocate,
for the informant.

Naresh Kumar Sanghi, J.(Oral)

Prayer in this petition is for grant of regular bail to the petitioner, Ved Pal, who has been booked for having committed the offences punishable under Sections 304-B and 498-A read with Section 34, IPC, in a case arising out of FIR No.336, dated 18.08.2014, registered at Police Station, Sadar, Bahadurgarh, District Jhajjar.

Learned counsel contends that the marriage of the son of the petitioner Narinder Singh was solemnized with Neelam (since deceased) on 22.12.2013 at village Jakhauda, District Jhajjar; the husband and wife i.e. Narinder and Neelam could not pull on well and as such, Neelam left her matrimonial house about

1-½ months prior to her suicide on 18.08.2014 at village Jakhauda; there is no specific instance with regard to cruelty and harassment of Neelam (since deceased) at the behest of the petitioner who is an old and infirm father-in-law; all the adult members belonging to the petitioner side were involved in the present case; another son of the petitioner and his wife (*Jeth and Jethani* of Neelam) were found innocent during the investigation and as such, the charge-sheet (report under Section 173, Cr.P.C.) was filed against Narinder (husband), Raj Bala (mother-in-law) and petitioner (father-in-law); the allegations against the *Jeth and Jethani* were the same as against the petitioner and his co-accused; during the course of trial, an application under Section 319, Cr.P.C., was presented for summoning of the *Jeth and Jethani* and the same was dismissed by learned trial court; there was no cruelty or harassment soon before the death; as per prosecution version itself Neelam (since deceased) had left the matrimonial house 1-½ months prior to her death; eight prosecution witnesses have already been examined and as such, further custody of the petitioner is not of worth; and the son and wife of the petitioner are also behind the bars in the present case.

Learned counsel for the State very fairly submits that the allegations against the petitioner are general in nature. He further concedes that the petitioner is about 60 years of age. He further admits that eight prosecution witnesses have been

examined. He also admits that 1-½ month prior to the commission of her suicide at the parental house, Neelam had left the house of the petitioner.

Learned counsel for the informant submits that on 17.08.2014, a Panchayat from the parents side of the deceased had gone to village Bahu-Akbarpur and at that time also, the petitioner side had put up a demand for car. It was also pointed out that after about a week of leaving of the house of the petitioner, a Panchayat was convened at village Bahu Akbarpur and at that time also the petitioner had refused that Neelam would not live at his house.

I have heard the learned counsel for the parties and with their able assistance gone through the material available on record.

The essential constituents of Section 304-B that soon before her death Neelam was subjected to harassment and cruelty would be a moot point during the course of trial in view of the fact that she (Neelam) had left her matrimonial house 1-½ months prior to the date of her suicide at her parental house. The allegations against the petitioner are general in nature. The material prosecution witnesses have already been examined and as such, the petitioner would not be in a position to win over or put influence over the witnesses. The wife and the son of the petitioner are also behind the bars in the same case. The petitioner is aged about 60 years and behind the bars from

30.08.2014 and as such, the present petition is allowed. Petitioner-
Ved Pal, s/o Hukam Singh, r/o village Bahu-Akbarpur, District
Rohtak is ordered to be released on bail during pendency of the
trial of the present case subject to his furnishing bond in the sum
of Rs.75,000/- with one surety in the like amount to the satisfaction
of the learned Chief Judicial Magistrate/Duty Magistrate, Jhajjar.

February 19, 2015
seema

(Naresh Kumar Sanghi)
Judg